

Welcome to the Legislative Update for February 3, 2012

This e-mail is provided as a courtesy of the Governor's Advisory Council on Aging. The purpose of this service is to keep Arizona's seniors and advocates for aging services informed about bills and actions taking place at the Arizona State Legislature and to highlight Congressional bills or happenings affecting older Americans. The information is intended to help you shape your own opinion about an issue and to give you the necessary resources and contacts so that you can ensure your perspective and voice are heard. The *Legislative Update* is non-partisan in nature. Thank you for your interest!

Happy Birthday Arizona!

On February 14th, Arizona celebrates 100 years of statehood; read about planned events at: <http://www.az100years.org/>.

2nd Regular Session of the 50th Legislature

This past week, 613 floor actions were filed; 75 of those related to legislation tracked by the Council on Aging. (See **FULL LIST** link)

Monday, February 6th marks the House bill introduction deadline. The Legislative Councils calendar of deadlines can be found at:

<http://www.azleg.gov/alispdfs/council/CalendarDeadlines.pdf>

Senate calendar:

<http://www.azleg.gov/alispdfs/50leg/senate/senatedeadlines.pdf>

House calendar: <http://www.azleg.gov/alispdfs/50leg/house/housedeadlines.pdf>

Legislation:

Legislative action on a few of the bills tracked by the Council on Aging is outlined here with summaries provided by *Arizona Capitol Reports LOLA* and found on the **FULL LIST**.

H2679: Autonomous Vehicles; ADOT Rules

The Department of Transportation is required to adopt rules authorizing the operation of "autonomous vehicles" (defined as a vehicle that uses artificial intelligence, sensors and GPS coordinates to drive itself without the active intervention of a human operator) on highways in Arizona. Minimum requirements for the rules are listed.

H2696: Vulnerable Adults; Financial Exploitation

For the purposes of adult protective services, a written expression witnessed by at least two individuals who do not benefit from the withdrawal of services creates a rebuttable presumption that the person was competent to understand the expression. Transfers of assets for the primary purpose of obtaining eligibility for AHCCCS, supplemental security income, Medicaid, Medicare or veteran's administration programs and that are between a vulnerable adult and their spouse, disabled child or a trust for the spouse or disabled child cannot be construed as financial exploitation.

H2713: Arizona Long-Term Care Trust

Adds a new chapter to Title 35 (public finances) establishing the AZ Long-Term Care Trust. The State Treasurer is required to establish the AZ Long-Term Care Trust Fund, consisting of individual savings accounts for qualified long-term care expenses not covered by an insurance policy. Withdrawals from the Fund require a physician's certification that the designated beneficiary is in need of services. Interest earned on contributions to the Trust are added to the list of income subtracted from Arizona gross income for tax purposes. Also establishes an advisory committee to the trust and powers and duties of the State Treasurer as trustee.

H2714 Financial Abuse of Elders; Reports

Financial institutions are required to report to the Attorney General suspected financial abuse of an elder (defined as a person at least 62 years of age) under specified circumstances. If the Attorney General does not have jurisdiction, s/he must notify the financial institution and the financial institution must then notify the proper local law enforcement.

H2715: Caregiver Registries

The Department of Health Services is required to establish registries of caregivers who have a substantiated history of abuse of persons with a developmental disability and persons who receive care in an assisted living facility, nursing care institution or in-home care. The registries must be available to the public on the Department's website.

S1131: Transportation Projects Advancement Notes

Municipalities, counties, regional association of governments, and the Department of Transportation are authorized to enter into transportation project advance agreements with each other for the acceleration of a "transportation project" (defined). If an agreement is entered into, the parties may advance monies to one another, issue and sell transportation project advancement notes, and use note proceeds for specified transportation advancement project purposes. On 2/2 Senate Committee of the Whole approved with floor amendment.

S1189: Health Professionals; State Reg; Exception

A health professional who provides services at a free medical clinic may do so without being licensed in this state if the professional holds an active license in another jurisdiction in the U.S., provides a copy of that license to the clinic and provides only the services authorized by that jurisdictions regulatory agency.

Hearings next week:

Some of the hearings scheduled next week on legislation tracked on the Council's **FULL LIST** are listed below.

H2677: Vehicle Insurance; Proof Shown Electronically; 2/9 House Transportation Committee at 9 am, House Room 3.

H2679: Autonomous Vehicles; ADOT Rules; 2/9 House Transportation Committee at 9 am, House Room 3.

H2696: Vulnerable Adults; Financial Exploitation; 2/8 House Health & Human Services Committee at 9:00 am, House Room 4.

S1189: Health Professionals; State Reg; Exception; 2/8 Senate Healthcare & Medical Liability Reform at 2:00 pm, Senate Room 1.

S1124: Health Insurance; Eye Care Services; 2/7 Senate Banking & Insurance at 2:00 pm, Senate Room 3.

ASRS Bills

The **Arizona State Retirement System (ASRS)** provides health insurance and long-term disability benefits for individuals that have served in the government and education fields. In this Legislature Session, over ten bills have been introduced that could affect ASRS; the Council is tracking ASRS bills that could potentially impact older Arizonans that are retiring or retired from public service. One example: S1119 RETIREMENT; ASRS; SPOUSAL CONSENT which requires a member who is married to name and maintain the members current spouse as a beneficiary and to receive at least 50 percent of the members account unless the spouse consents to waive this requirement. The member is also required to, if married at the time of retirement, to choose a monthly benefit in the form of a joint and survivor annuity unless the spouse consents to waive this requirement.

Other ASRS bills that could affect older Arizonans include S1117: RETIREMENT; ASRS; ADMINISTRATION, S1118: RETIREMENT; ASRS; LONG-TERM DISABILITY AMENDMENTS, and S1194: RETIREMENT; ASRS; NONPARTICIPATORY EMPLOYER; LIABILITIES.

At the end of day 26 of the legislative session, 1,294 bills posted; 134 memorials or resolutions posted; 4 passed. Several of the bills may be of interest to Arizona seniors and will be tracked by the Council and appear on the Legislative Update web page. **Please be advised that the presence of a bill on the Council's tracking list does not represent support or opposition by the Council to that bill.** It **does** mean that the bill topic is something that is likely to be of interest to or have an impact on Arizona seniors so the Council is tracking the bill's progress.

FULL LIST:

<http://www.azcapitolreports.com/webreport.cfm?webreport=24822&listid=45455&print=true>

Note: The FULL LIST website link above provides you with the current status and upcoming hearing information about the bills being tracked by the Council and **is available and updated on an ongoing basis, 24 hours a day, 7 days a week.**

This list will continue to be edited and/or expanded as we have an opportunity to get through all of the bills. We will add new bills to the list on a regular basis until all bills have been posted. Information about bill status, hearing, etc. is a purchased service provided by the *Arizona Capitol Times*.

At this time, both the House and the Senate are adjourned until 1:30 pm on Monday, February 6, 2012.

Share your thoughts! If you have a particular perspective to share with the Governor or your legislators at any time, you may voice your thoughts by contacting the:

Governor's Office of Constituent Services at 602-542-4331 or toll-free at 1-800-253-0883 (outside Maricopa County only) or you may **contact the legislator from your area**.

You can locate your legislator by going to the **Arizona State Legislature website** <http://www.azleg.gov/> and looking for: *How do I find My Legislators* or by following the instructions provided at both the **Senate** and **House Member** links at the website.

If you would like to learn more about how a bill becomes law, see these links at the Arizona State Legislature's website: <http://www.azleg.gov/alisPDFs/BillToLaw.pdf> and <http://www.azleg.gov/alisPDFs/hbillaw.pdf>.

If you want to know who serves on the House and Senate Standing Committees, go to: <http://www.azleg.gov/StandingCom.asp> and click on the committee name.

FEDERAL OVERVIEW:

H.R.3735

Medicare Fraud Enforcement and Prevention Act of 2011

Introduced on 12/19/2011 by Representative Ileana Ros-Lehtinen (FL-18), the bill provides for enhanced penalties to combat Medicare and Medicaid fraud, a Medicare data-mining system and biometric technology pilot program, and for other purposes.

On 12/23/2011, referred to House Subcommittee on Health.

H.R.3613

Part D Beneficiary Appeals Fairness Act

Introduced on 12/8/2011 by Representative Henry C. "Hank" Johnson, Jr. (GA-4), the bill has 33 cosponsors.

Amends title XVIII of the Social Security Act to allow for fair application of the exceptions process for drugs in tiers in formularies in prescription drug plans under Medicare Part D.

On 12/9/2011, the bill was referred to the House Subcommittee on Health.

S.1982

Improving Care for Vulnerable Older Citizens through Workforce Advancement Act of 2011

Introduced on 12/13/2011 by Senator Robert P. Casey Jr. (PA), the bill amends the Older Americans Act of 1965 to develop and test an expanded and advanced role for direct care

workers who provide long-term services and supports to older individuals in efforts to coordinate care and improve the efficiency of service delivery.

On 12/13/2011, the bill was referred to the Senate Committee on Health, Education, Labor, and Pensions.

Note: we'll be tracking the Senate's Federal Public Transportation Act of 2012 and the House's American Energy and Infrastructure Jobs Act and provide updates in the future.

Others that may be of interest:

H.R.3801

Ultralight Aircraft Smuggling Prevention Act of 2012

Introduced on 1/23/2012 by Representative Gabrielle Giffords (AZ-8), the bill is cosponsored by Representative Jeff Flake (AZ-6)

Ultralight Aircraft Smuggling Prevention Act of 2012 - Amends the Tariff Act of 1930 with respect to aviation smuggling to extend its coverage of aircraft to: (1) any contrivance invented, used, or designed to navigate, or fly in, the air; and (2) ultralight vehicles.

Subjects attempts or conspiracies to commit aviation smuggling to specified criminal penalties.

Expresses the sense of Congress that the Secretary of Defense (DOD) should continue the broad program of cooperation with the Secretary of Homeland Security to identify DOD equipment, technology, and expertise that could be leveraged by Department of Homeland Security (DHS) to fulfill its missions. Urges DOD especially to ensure that DHS can identify DOD equipment and technology that could also be used by the U.S. Customs and Border Protection (CBP) to combat illicit trafficking across the international borders between the United States and Mexico and the United States and Canada, including any that could be used to detect and track the illicit use of ultralight aircraft. On January 30, 2012, presented to President.

H.R.3835

Title: To extend the pay limitation for Members of Congress and Federal employees

The bill was introduced on January 27, 2012 by Representative Sean P. Duffy (WI-7).

Amends the Continuing Appropriations Act, 2011 (P.L. 111-242) to extend through December 31, 2013, the freeze on any cost-of-living adjustment (COLA) to the pay of certain federal civilian employees (thus extends such freeze from two to three calendar years).

Extends through such date the prohibition against receipt by a senior executive or senior-level employee of any increase in the rate of basic pay absent a change of position that results in a substantial increase in responsibility or a promotion.

Applies the pay limit freeze to Members of Congress.

Declares that no statutory COLA for a legislative branch employee which would otherwise take effect during the period beginning on enactment of this Act and ending on December 31, 2013, shall be made.

On 2/2/2012, H.R.3835 was referred to the Committee on Homeland Security and Governmental Affairs.

NOTE: If you want information specific to a bill, go to the Thomas website <http://thomas.loc.gov/> and enter the bill number under *Search Bill Summary & Status*.

Share your opinions with your Congressional Members!

If you are interested in sharing your thoughts or concerns, find out how to contact your congressional representatives by visiting: <http://www.house.gov/> for the **House** or <http://www.senate.gov/> for the **Senate**. Links to the membership lists include: <http://www.house.gov/representatives/> for the **House** and http://www.senate.gov/general/contact_information/senators_cfm.cfm for the **Senate**.

You can contact the White House at: <http://www.whitehouse.gov/contact/>.

A compilation of contact information is provided at: <http://www.usa.gov/Contact/Elected.shtml>.

Other News:

U.S. Department of Health & Human Services - information on American Heart Month: <http://www.hhs.gov/news/press/2012pres/02/20120201b.html>

The Internal Revenue Department (IRS) offers information on free tax assistance, earned income tax credit, avoiding identity theft, and more at: <http://www.irs.gov/>.

Administration on Aging

May is Older Americans month and this year's theme is "Never Too Old to Play". For more information, go to:

http://www.aoa.gov/aoaroot/Press_Room/Observances/2012/Older_Americans.aspx

National Council on Aging/NCOA Medication Use Safety Training includes safe use of Acetaminophen:

http://www.mustforseniors.org/acetaminophen_safeuse.jsp

U.S. Department of Veteran Affairs has released its first module of a six-module training guide for family caregivers of veterans. Originally designed for caregivers of veterans injured post-9/11, the training guide of the National Veteran Caregiver Training Program is now available for individual caregivers of veterans of any age. To view the first module, go to:

http://www.caregiver.va.gov/pdfs/Caregiver_Workbook_V3_Module_1.pdf

From the **Arizona State Library, Archives and Public Records** resource page, *Tools for Tough Times*:

<http://www.lib.az.us/about/helpinfo.aspx#Top>

INFORMATION & RESOURCES:

WHAT: Faith-Based Summit Connecting and Equipping Faith-Based Communities to Support Service Members, Veterans & Their Families

WHEN: February 9, 2012, 9 am to 4 pm, Arizona National Guard, Papago Park Military Reservation, Joint Force Headquarters, 5636 McDowell Rd, Phoenix, AZ

For more information:

http://www.azgovernor.gov/gaca/Newsletter/2012/AZNGACMF_FaithBasedSummit_020912.pdf

WHAT: ALTCS 101 Workshop

WHEN: Thursday, February 9, 2012, 10 am to 12:00 Noon, Unity Church Fellowship Hall, Prescott, Arizona

For more information: <http://www.SeniorConnection.us/ALTCS101.pdf>

WHAT: Community Conversation on Healthcare

WHEN: Thursday, February 16, 5:30 pm to 7:00 pm, Marana Health Center, 13395 N. Marana Main Street. Event is free and open to the public.

For more information:

<http://www.azgovernor.gov/gaca/Newsletter/2012/FlyerMaranaHealthForum.pdf>

WHAT: Healthy Eating and Active Living (HEAL) for People with Disabilities, Resource Fair

WHEN: Saturday, February 18, 2012, 11 am to 3 pm, Ellie Towne Flowing Wells Community Center, 1660 W. Ruthrauff Road, Tucson, Arizona

For more information:

<http://www.azgovernor.gov/gaca/Newsletter/2012/ResourceFairFlier.pdf>

WHAT: Trauma Informed Care Summit

WHEN: Wednesday, February 22, 2012, 8:30 am to 5:00 pm, Downtown Phoenix Campus, AE England Building (Civic Space Park), 424 N. Central Avenue, Phoenix, AZ

For more information:

http://www.azgovernor.gov/gaca/Newsletter/2012/TICSummit_2012SaveTheDate.pdf

Coming later this summer

WHAT: 2012 Behavioral Health and Older Adults Conference; Trends, Issues, Solutions

WHEN: Friday, June 15, 2012, Casino Del Sol Conference Center, 5655 W. Valencia Rd., Tucson, AZ

For more information, contact the Community Partnership of Southern Arizona at conference @bhacsa.com. (<http://www.cpsa-rbha.org/>)

Our thanks to Intern, Jena Grady for her assistance with tracking and reviewing legislation.

Just in case you're interested:

Back issues of the ***Legislative Updates*** are linked on the Council website at:
<http://www.azgovernor.gov/gaca/LegUpdates.asp>

If you would like to submit an educational or public service event for consideration, you can do so by sending an email with the description to: gaca@az.gov. Please note: we try to include events of interest to older Arizonans and aging service advocates.

Enjoy your weekend!

~Governor's Advisory Council on Aging